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October 20, 1999

BY HAND

Magalie Roman Salas, Secretary
Federal Communications Commission
12th Street Lobby, TW-A325
The Portals, 445 Twelfth Street, S.W.
Washington, DC 20554

RE: Ex Parte Communications in WT Docket 99-168 and CC Docket 94-102

Dear Ms. Salas:

This is to inform the Commission that, on October 19, 1999, representatives of the Association of Public-Safety Communications Officials-International, Inc. ("APCO") met with the following individuals to discuss APCO's positions on matters in the above-referenced proceedings, as set forth in APCO's submissions in the records of those proceedings.

Commissioner Furchtgott-Roth and Bryan Tramont of his staff
Mark Schneider, advisor to Commissioner Ness
Adam Krinsky, advisor to Commissioner Tristani
Ari Fitzgerald, advisor to Chairman Kennard

As to WT Docket 99-168, APCO also provided each individual a document summarizing APCO's position, two copies of which are attached hereto.

Please contact the undersigned should the Commission have any questions regarding this matter.

Respectfully submitted,

WILKES, ARTIS, HEDRICK & LANE,
Chartered

By: Robert M. Gurss
Robert M. Gurss

Attorneys for APCO

cc: Bryan Tramont, Esq.
Mark Schneider, Esq.
Adam Krinsky, Esq.
Ari Fitzgerald, Esq.
Captain Joe Hanna
Ms. Thera Bradshaw

Attachment

doc#153919

APCO POSITION REGARDING SERVICE RULES FOR 746-764/776-794 MHz
(Docket 99-168)

- The FCC must adopt rules that will protect against interference to *future* public safety radio systems in the 764-776/794-806 MHz band (TV channels 63, 64, 68, and 69).

- The interference rules must take into account that public safety systems may not be installed until long after new "commercial" systems are installed on adjacent bands. Therefore, merely requiring protection of then-existing public safety systems would be grossly inadequate.

- Broadcasting and other high power, wide area systems must be prohibited from operating on channels adjacent to the public safety band.

- Commercial mobile systems that operate with numerous high power, low elevation sites (*e.g.*, a typical cellular/PCS/ESMR architecture) should not be permitted on channels immediately adjacent to public safety. Experience in the 800 MHz band suggests that there is a significant threat of interference from such adjacent channel commercial operations.

- APCO has suggested that spectrum immediately adjacent to the 700 MHz public safety bands should be allocated for "private wireless" type services, as also proposed by the Land Mobile Communications Council and Motorola. Such private wireless operations are generally more compatible with public safety, due to their similar system architecture, technology, operating parameters, and equipment. Allocating 700 MHz spectrum for private wireless operations would also expand the potential market for 700 MHz public safety/private wireless equipment (which often share the same basic components). Those economies of scale would lead to lower costs, market entry by competing manufacturers, and broader equipment availability for public safety.

- Motorola has proposed a specific channel plan for the 700 MHz band which would allocate a total of 6 MHz for private wireless use with 1.5 MHz blocks immediately adjacent to the public safety bands. The Motorola band plan appears to meet the requirements for avoiding interference to adjacent channel public safety operations, and would also promote a larger market for private wireless/public safety equipment.

- FreeSpace Communications has proposed a plan that would place extremely low power density level restrictions on spectrum immediately adjacent to the 700 MHz public safety bands. The FreeSpace proposal appears to provide excellent interference protection for public safety.

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